

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

**GRAY CASUALTY AND
SURETY COMPANY,**

Plaintiffs,

v.

FSA TRUCKING, INC., et al,

Defendants.

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Case No. 5:22-cv-678-LCB

SCHEDULING ORDER

This Scheduling Order supersedes any prior orders and governs further proceedings in this action unless modified for good cause shown.

1. **Pleadings and Parties:** No causes of action, defenses, or parties may be added after August 26, 2022. The provisions of Federal Rule of Civil Procedure 15(a) apply.

2. **Discovery Cutoff:** All discovery must be commenced in time to be completed by March 3, 2023.

3. **Mediation:** Parties are to conduct mediation within 30 days of close of discovery.

4. **Dispositive Motions:** All potentially dispositive motions, including *Daubert* motions, must be filed by April 7, 2023. **Movant must file any briefs and supporting evidence with the motion for summary judgment in order for the submission to be deemed timely.** Thereafter, the court will issue an order establishing deadlines for submission of evidentiary materials and briefs in opposition

to, and in reply. ***Nota bene:*** All potentially dispositive motions ***must*** comply with all requirements of the Appendix attached to the “Initial Order Governing All Further Proceedings” that was entered in this action.

5. **Expert Testimony:** Unless modified by court order for good cause shown, the disclosures of expert witnesses — including a complete report under Fed.R.Civ.P. 26(a)(2)(B) from any specially retained or employed expert — are due:

From plaintiff by January 6, 2023.

From defendant by February 6, 2023.

6. **Final Lists:** Lists of trial witnesses and exhibits must be filed by May 12, 2023. Any objections to such lists, including objections under Federal Rule of Civil Procedure 26(a)(3), must be filed within fourteen days thereafter.

7. **Trial:** The parties shall be ready for trial by June 2023.

8. **Marking of Exhibits.** Each party that anticipates offering as substantive evidence as many as six (6) exhibits shall premark exhibits in advance of trial, using exhibit labels and lists available from the Clerk of Court. By the time of trial, a copy of the exhibit list shall be served and filed, with exhibits being made available for inspection by opposing counsel. Presentation of evidence at trial will not ordinarily be interrupted for opposing counsel to examine a document that has been so marked and made available for inspection.

Except as expressly modified by the above, the stipulations, limitations, deadlines and other agreements set forth in the report of the parties shall apply in this case.

Additionally, the Court **SETS** a telephone status conference for **10:00 a.m. on January 13, 2023.** Dial-in instructions will be emailed to counsel prior to the telephone conference. The parties shall be prepared to discuss all matters set forth in the Fed. R. Civ. P. 16(c)(2), including: (1) the status of the case, (2) the status of settlement negotiations, including the last demand and offer exchanged between the parties, and (3) setting additional deadlines.

DONE and **ORDERED** this August 12, 2022.



LILES C. BURKE
U.S. DISTRICT JUDGE